

REMARKS/ARGUMENTS

Status Of The Claims

This is an Amendment and Reply to the Office Action mailed November 14, 2007, in which the following rejections were set forth: Claims 1 and 12 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter that Applicant regards as the invention; Claims 1-3, and 5-12 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,589,348, issued to Ott ("*Ott*"), in view of U.S. Patent No. 5,882,428 issued to Gawne ("*Gawne*"); Claim 4 was rejected under 35 U.S.C. § 103(a) as being unpatentable over *Ott*, in view of *Gawne* and U.S. Patent No. 5,855,062 issued to Kendall ("*Kendall*"); and, Claim 11 was objected to due to an informality.

By this response, Claims 1, 2, 11, and 12 have been amended, and no claims have been added or canceled. As such, Claims 1-12 are pending in this application. The amendments to the claims are fully supported by the originally filed application and no new matter has been added.

§ 112 Claim Rejections

Applicant has amended Claims 1, 2, 11, and 12 to more particularly point out and distinctly claim the subject matter that Applicant regards as the invention. As such, Claim 1—as well as Claims 2-12, which are ultimately dependent thereon—are respectfully submitted to be in condition for allowance and Applicant requests that the rejection of Claims 1-12 be withdrawn.

§ 103(a) Claim Rejections

Ott

Ott discloses a method wherein a paint volume is conveyed between two pigs 18, 19 within a paint line 2. The pigs 18, 19 are propelled either by compressed air or by an isolating liquid 41. The paint device as disclosed by *Ott* comprises two similarly constructed paint lines 2 and 2'. While *Ott* reveals an automatic color changer 8, 8' by which the space between the pigs 18, 19 may be filled with several paints, *Ott* does not describe how to clean the paint lines 2, 2' or how to discharge residual paint remaining between the two pigs when the paint process has been completed.

As such, and as admitted in the Office Action, *Ott* fails to disclose each and every feature of Applicant's amended Claim 1.

Gawne

Gawne is apparently being relied upon to compensate for *Ott*'s shortcomings wherein *Ott* fails to disclose a pair of pigs utilized to transport the cleaning agent. Upon closer analysis of *Gawne*, a method is disclosed according to which a paint line is cleaned by using pigs wherein via a first pig station adjacent to a paint application device, a first pig is inserted into the paint line. The first pig is then propelled by a cleaning material and pushes the paint contained in the paint line back to the container from which it is originated. See *Gawne*, column 1, lines 36-44. At the end of its travel through the paint line, via a second pig station, the first pig is then directed into a "multi-pig collection vessel" and the cleaning material is discharged into a waste collection system.

After the first pig has been discharged, a second pig is then inserted into the paint line via the second pig station. This second pig aims to separate a new volume of paint from the cleaning material and is propelled by the new paint volume to push the cleaning material out of the paint line. The second pig is then directed to the "multi-pig collection vessel" when it passes the first pig station. See *Gawne*, column 1, line 64 to column 2, line 6. In short, *Gawne* discloses that only one single pig is inserted into the paint line at any time—thus failing to disclose a method wherein a cleaning agent is conveyed between two pigs, as is required by Applicant's amended Claim 1.

In view of the procedural and structural differences in the paint distributions systems disclosed by *Ott* and *Gawne*, there simply is no motivation within either reference to suggest their combination. That is, *Ott* simultaneously utilizes two pigs to transport the paint within the conveying line between the supply system and the consumer, while *Gawne* utilizes two pigs in an individually distinct and sequential manner to first transport the cleaning solvent, and then to separate the cleaning solvent from the paint during the next transportation of the paint. Thus, while the Examiner views the functional combination of *Ott* and *Gawne* to be obvious merely based on the presumption of providing a cleaning function to the flow path of a paint distribution system, the actual structure utilized by *Gawne*'s cleaning function would not work with the structure disclosed in *Ott*. As such, the combination of *Ott* and *Gawne*—in view of their respective disclosures—cannot be utilized in an operative fashion to produce the desired result of

Applicant's invention. Therefore, the combination of functionality proposed in the Office Action would be precluded by the structural limitations thereof.

Moreover, even if the relied upon references were in some way properly combinable, their combination would fail to disclose each and every element of Applicant's amended Claim 1. That is, at least one element of the Applicant's amended Claim 1 would not be disclosed by such a combination; namely, upon return from the second pig station to the first pig station, the cleaning agent being transported between the two pigs, wherein the residual paint remaining between the two pigs when the painting process has been completed is disposed via the second pig station.

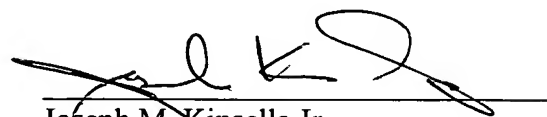
Because the relied upon cited prior art, alone or in combination, fails to disclose, teach, or suggest each and every element of Applicant's amended Claim 1—as well as Claims 2-12 which are ultimately dependent thereon—Applicant respectfully submits all pending claims are in condition for allowance and requests the rejections to all pending claims be withdrawn.

CONCLUSION

In view of the above amendments and remarks, Applicant respectfully requests that all rejections be removed and all pending claims be passed to issue. If any fees are required with this communication, Applicant authorizes the Commissioner to deduct such fees from Deposit Account No. 50-0545.

Respectfully Submitted,

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